

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
VALDOSTA DIVISION

MELVIN HINES,

Petitioner

VS.

Warden MICHELLE MARTIN,

Respondent

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NO. 7:06-cv-8(HL)

**ORDER**

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Petitioner **MELVIN HINES**, an inmate at Metro State Prison in Atlanta, Georgia, originally filed this *pro se* document in the Northern District of Georgia. On March 14, 2005, the document, which the Northern District docketed as a 28 U.S.C. § 2254 habeas petition, was transferred to the undersigned from United States Magistrate Judge Gerrilyn G. Brill because venue in the Northern District was improper.

Without passing judgment on the ultimate determination of the merits of petitioner's claims, the Court observes that the petitioner has failed to present his claims on the standard 28 U.S.C. § 2254 forms required by this Court. Nor has the petitioner submitted the filing fee of \$5.00 or a financial affidavit seeking leave to proceed *in forma pauperis*. Accordingly, petitioner is hereby **ORDERED** to complete and submit a 28 U.S.C. § 2254 form AND either submit the filing fee of \$5.00, or execute and return a financial affidavit seeking leave to proceed *in forma pauperis* including a copy of his trust fund account balance.

Petitioner shall have thirty (30) days from the date of his receipt of this order to provide the aforementioned information. Petitioner is advised that failure to submit the form, pay the fee or

submit the required affidavit may result in dismissal of this action. There shall be no service of process until further order of the Court.

The Clerk of Court is **DIRECTED** to forward the appropriate section 2254 forms and financial affidavit to the petitioner together with a copy of this order.

**SO ORDERED**, this 30<sup>th</sup> day of January, 2006.

/s/ Richard L. Hodge

RICHARD L. HODGE

UNITED STATES MAGISTRATE JUDGE